

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 23, 2023

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane(13), Vice Chairman Young, Representatives Palmer, Barbieri, Holtzclaw, Scott, Andrus, Skaug, Alfieri, Allgood, Crane(12), Gannon, Green

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Crane called the meeting to order at 9:00 A.M.

MOTION: **Rep. Allgood** made a motion to approve the minutes from February 15 2023, and February 17, 2023. **Motion carried by voice vote.**

H 75: **Rep. Alfieri** presented **H 75**, legislation tightening the requirements of absentee ballots and returning to their original use and intent. Rep. Alfieri stated **H 75** is an attempt to prevent the type of fraud that exists in others states using absentee ballots.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Crane (13)** made an unanimous consent request to allow **Phil McGrane**, Secretary of State, to testify at this point because of Mr. McGrane's schedule. There being no objection, the request was granted.

Phil McGrane, Secretary of State, testified **in opposition** to **H 75**, stating, there is not wide-spread voter fraud because of absentee voting in Idaho and there are procedures in place to catch any fraud. Mr. McGrane remarked absentee voting is an important tool for voters to use and some precincts only vote via absentee because their rural location makes having a central polling location impossible.

Rep. Kingsley presented **H 75**, and shared a personal experience he had with a pre-filled absentee ballot request which arrived at his home for his child who had not lived there for six years. Rep. Kingsley indicated the use of absentee ballots is growing and his belief it is the intention to move Idaho towards voting via mail exclusively.

Kendal Shaber, League of Women Voters of Idaho, testified **in opposition** to **H 75**, stating existing law allows for all residents to vote absentee and by changing who can qualify to receive an absentee ballot, some citizens who may need to vote via absentee, will not be able to.

Macee Utlecht, Sam Sandmire, Ken Harris, Andrea Wilson, Kayla Dodson, Tamera Dittenber, Kathy Dawes, Norma Staaf, and Alicia Abbott, testified **in opposition** to **H 75**, stating voting should be easier, not harder and by removing the ability to vote absentee, it is denying citizens the convenience and accessibility of having a choice. They also spoke to the existing procedures in place to catch any fraud, should it exist, and how the absentee ballot process allows them to have more time to research and consider their votes carefully.

Tim O'Donnell, Jackie Davidson and Lyle Johnstone testified **in support** of **H 75**, stating the more we encourage absentee voting, the more opportunities for fraud and requested Idaho not sacrifice secure elections for convenience.

Lupe Wissel, AARP Idaho, testified in **opposition** to **H 75**, stating because of health reasons, many citizens feel more comfortable voting via absentee ballot and **H 75** places restrictions on a citizen's right to vote.

Kathy Ackerman, Idaho County Clerk, and Idaho Association of County Clerks' Legislative Committee, testified in **opposition** of **H 75**, stating some type of verification will very likely be required in the future and it will be an undue burden on the county clerks. Ms. Ackerman also shared it puts the county clerks on the front line of angry voters again and clarified clerks are in favor of restricting third parties from sending out pre-filled absentee ballot requests. She remarked she is against the Routing Slip (RS) going directly to the floor and not allowing testimony.

Rebecca Funk testified in **opposition** to **H 75** and asked the committee to take other steps to secure voting, such as ballot harvesting, identification and requesting ballots per election instead of per year.

Alicia Abbott testified in **opposition** to **H 75** because of concerns regarding the need to vote absentee due to being a caregiver and the lack of clarity of how a medical need would be verified.

Reps. Alfieri and Kingsley presented closing testimony on **H 75**, stating allowances have been made in **RS 30376** for everyone that may need an absentee ballot and it is every citizen's duty to study, research and vote.

MOTION: **Rep. Barbieri** made a motion to **HOLD H 75** in committee. **Motion carried by voice vote.**

RS 30376: **Rep. Alfieri** presented **RS 30376**, proposed legislation addressing absentee ballot requirements and allowing for residents who may have seasonal residences outside of Idaho. Rep. Alfieri clarified **RS 30376** also expands the list of citizens qualified to receive absentee ballots.

MOTION: **Rep. Barbieri** made a motion to introduce **RS 30376** and recommended it be sent directly to the Second Reading Calendar.

SUBSTITUTE MOTION: **Rep. Green** made a substitute motion to return **RS 30376** to the sponsor. **Motion failed by voice vote.**

ROLL CALL VOTE ON ORIGINAL MOTION: Roll call vote was requested. **Motion carried by a vote of 10 AYE and 3 NAY.** **Voting in favor** of the motion: **Reps. Crane (13), Young, Palmer, Barbieri, Holtzclaw, Scott, Andrus, Skaug, Alfieri and Crane (12).** **Voting in opposition** to the motion: **Reps. Allgood, Gannon and Green.** **Rep. Alfieri** will sponsor the bill on the floor.

RS 30449: **Rep. Barbieri** presented **RS 30449**, proposed legislation amending the administrative rules process by placing all administrative rules on an eight-year cycle and requiring every proposed administrative rule be approved by a concurrent resolution of the Legislature in order to be in effect. Rep. Barbieri also stated **RS 30449** requires agencies to allow oral public testimony by video conference or phone and posting the recording of public hearings on the agency's website for at least three years.

MOTION: **Rep. Scott** made a motion to introduce **RS 30449** and recommended it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Barbieri** will sponsor the bill on the floor.

RS 30234: **Rep. Alfieri** presented **RS 30234**, proposed legislation allowing for the election of the State Board of Education. Rep. Alfieri stated the largest portion of our spending is education and it is important an elected board oversees that money. **RS 30234** designates seven trustee zones throughout the state.

MOTION: **Rep. Scott** made a motion to introduce **RS 30234.** **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:36 A.M.

Representative Crane (13)
Chair

Lisa Hendricks
Secretary